

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DEKALB-LAKE RIDGE LLC d/b/a
THE COLUMNS AT LAKE
RIDGE,

Plaintiff,

v.

FELICIA WOFFORD,

Defendant.

CIVIL ACTION FILE

NUMBER 1:17-cv-1180-TCB

ORDER

Defendant Felicia Wofford removed this dispossessory action to this Court from the Magistrate Court of DeKalb County. Magistrate Judge Russell G. Vineyard entered a final report, recommendation, and order [3] (the “R&R”) granting Wofford leave to proceed *in forma pauperis* and recommending that this action be remanded for lack of subject-matter jurisdiction. Wofford has filed objections to the R&R [5].

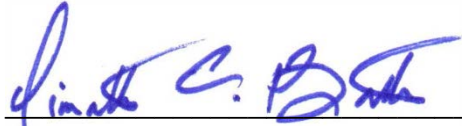
A district judge has a duty to conduct a “careful and complete” review of a magistrate judge’s R&R. *Williams v. Wainwright*, 681 F.2d

732, 732 (11th Cir. 1982) (per curiam). The district judge must “give fresh consideration to those issues to which specific objection has been made by a party.” *Jeffrey S. v. State Bd. of Educ.*, 896 F.2d 507, 512 (11th Cir. 1990); 28 U.S.C. § 636(b)(1)(C). “Parties filing objections must specifically identify those findings objected to. Frivolous, conclusive or general objections need not be considered by the district court.” *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. Unit B 1982).¹

After careful review of the R&R and Wofford’s objections thereto, the Court finds that Wofford’s objections are frivolous and that the R&R’s conclusions and reasoning are sound. Accordingly, the Court overrules Wofford’s objections [5], adopts as its Order the R&R [3], remands this case to the Magistrate Court of DeKalb County, and directs the Clerk to close this case.

¹ The Eleventh Circuit has adopted as binding precedent all Fifth Circuit decisions issued before October 1, 1981, as well as all decisions issued after that date by the Unit B panel of the former Fifth Circuit. *Stein v. Reynolds Sec., Inc.*, 667 F.2d 33, 34 (11th Cir. 1982); *see also United States v. Schultz*, 565 F.3d 1353, 1361 n.4 (11th Cir. 2009) (discussing continuing validity of *Nettles*).

IT IS SO ORDERED this 1st day of May, 2017.

A handwritten signature in blue ink, appearing to read "Timothy C. Batten, Sr.", written over a horizontal line.

Timothy C. Batten, Sr.
United States District Judge